

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

04 JUN 29 AM 7: 58

U.S. DISTRICT COURT
N.D. OF ALABAMA

KERRI N. FOSTER, et al.,

]

Plaintiffs,

]

]

vs.

]

CV-04-CO-0795-S

JUN 29 2004

INTEGON GENERAL INSURANCE
CORPORATION, et al.,

]

]

]

Defendants.

]

]

Jm

ENTERED

Memorandum of Opinion

Presently before the court is Plaintiffs' Motion for Remand [Doc. # 4], as well as various pleadings filed in response to and as a result of Plaintiffs' Motion for Remand. In paragraph 4 of its Motion for Leave to File Requests for Admission [Doc. #9], Defendant, Integon General Insurance Corporation ("Integon") states: "If Plaintiffs respond to each of Defendant's Requests for Admission with an unqualified admission, Defendant will consent to Plaintiffs' Motion for Remand."

Plaintiffs filed unqualified admissions to Integon's requests and thus this Court lacks diversity jurisdiction as the amount in controversy does not

13

exceed \$75,000.00 exclusive of interest and costs.

This case will be remanded to the Circuit Court of Jefferson County, Alabama. A separate order will be entered.

Done, this 28 day of June, 2004.

A handwritten signature in black ink, appearing to read 'LSC', is written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE